



## ZONING BOARD OF APPEALS

FRANCIS L. SWIFT, Chairman  
 HENRY H. THAYER  
 WILLIAM O. HEWETT  
 WILLIAM E. POLLETTA  
 WILLIAM F. CULLINANE  
 FRANKLIN P. PARKER

KATHARINE E. TOY  
 Administrative Secretary  
 Telephone  
 235-1664

Petition of James R. and Arline L. Chapman

Pursuant to due notice the Permit Granting held a public hearing in the hearing room on the second floor of the Town Hall at 8:00 p.m. on November 3, 1977, on the petition of James R. and Arline L. Chapman, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the side of their dwelling at 20 Rockland Street, with a side yard less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On October 11, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

James R. Chapman spoke in support of the request at the hearing.

Statement of Facts

The property involved is located within a Single Residence District, requiring a minimum lot area of 10,000 square feet. The house involved was built in 1924, prior to the twenty-foot side yard requirement, on a lot containing 11,692 square feet.

The petitioners seek permission to construct a screened porch 12' 3" x 26' 3", on the southerly side of their dwelling, which, if built, will be an extension to an existing brick patio, and will lie 11.13' from the side lot line.

It was pointed out that the proposed porch could not be located at the rear of the house because the adjacent hill drains underground past the rear of the house and down into the parking lot. It would obstruct the natural drainage and create undesirable soil conditions, aggravating water seepage into the existing cellar and saturating the back yard with water. By locating the porch on the south side of the house will avoid any disturbance of the natural drainage pattern. It was also pointed out that if the proposed porch were located on the rear of the house, it would block the entrance to the cellar and would destroy the picture windows in the back of the house. The side location will utilize the existing brick patio and the hemlock hedge and tall cedar fence will block the neighbors view of the porch.

A plot plan was submitted, drawn by John J. Regan, dated August 6, 1977, which showed the existing house and the proposed porch.

Decision

The Board has made a careful study of the evidence submitted and has taken a view of the locus.

In its opinion, the proposed location of the porch appears to be

L. Chapman

the only feasible place it can be constructed without interfering with the natural drainage of the property. There is a brick patio 12.3' x 13.3', which is located 11.13' from the southerly side line and the proposed porch, if built, will not extend any closer to the lot line than the existing patio. The house is located less than the required twenty feet from the northerly lot line which would not allow the construction of any addition on that side in compliance with the Zoning By-law.

Because of the soil conditions and drainage problem on the lot, which would be aggravated if the proposed porch were to be built on the rear of the house and conform to the setback requirements of the Zoning By-law, it is the unanimous opinion of this Board that a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board that desirable relief may be granted without substantial detriment to the public good and without nullifying and substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed porch as shown on the plan submitted and on file with this Board.

DEC 12 10 30 AM '11  
REGISTERED  
TOWN CLERK'S OFFICE  
RECEIVED

Filed with Town Clerk

Francis L. Swift  
Francis L. Swift

William O. Hewett  
William O. Hewett

William F. Cullinane  
William F. Cullinane

Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.



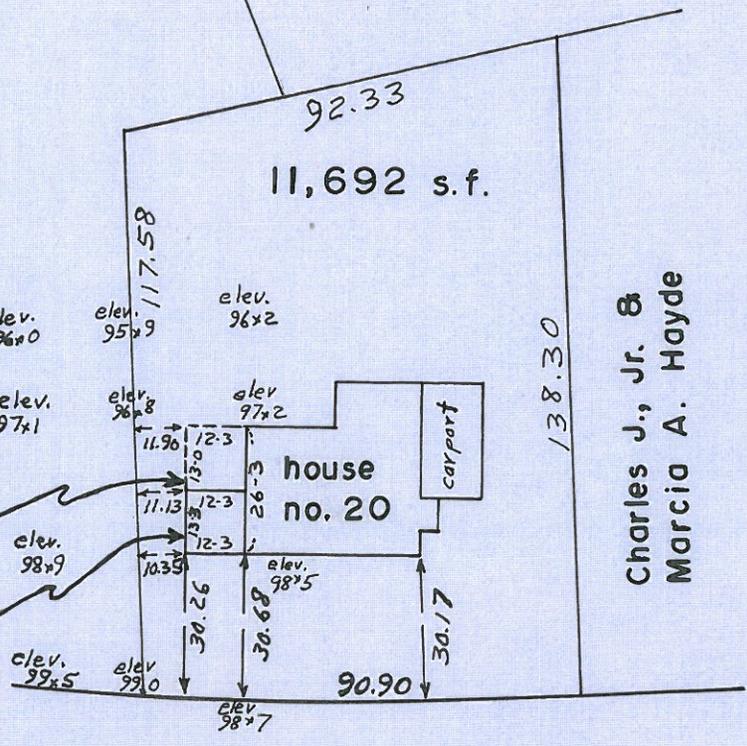
John D. & Pamela Lloyd

Helen & Anne B. Fahy  
& Esther J. Rooney

Charles J., Jr. &  
Marcia A. Hayde

proposed porch  
12'-3" x 26'-3"

existing brick patio  
12'-3" x 13'-3"



ROCKLAND STREET



# PLAN OF LAND IN WELLESLEY MASS.

*John J. Regan*

TO ACCOMPANY THE PETITION OF  
JAMES R. & ARLINE L. CHAPMAN  
20 ROCKLAND STREET  
WELLESLEY

SCALE 1 IN = 40 FT  
APEX ASSOCIATES  
NEWTON HIGHLANDS

AUGUST 6, 1977  
LAND SURVEYORS  
MASS.